

§ 52.1883

shall construct a coal preparation facility; submit statement to the Administrator as to whether boiler modifications at the Conesville steam plant will be required for combustion of the prepared (washed) complying coal. If boiler modifications are required, submit plans for such modifications.

(3) 8 weeks from date of promulgation of this schedule: If a coal preparation facility is to be constructed by the utility for preparing all or a portion of the fuel for combustion at the Conesville steam plant, submit to the Administrator a plant detailing actions to be taken to ensure completion of construction and startup in sufficient time to provide complying fuel for the final compliance date.

(4) 52 weeks from June 19, 1980: Complete engineering and specifications for the coal preparation facility.

(5) 64 weeks from June 19, 1980: Award contract for construction of the coal preparation facility providing incentives to the contractor to expedite the project.

(6) 108 weeks from June 19, 1980: Initiate on-site construction of the new coal preparation facility.

(7) 152 weeks from June 19, 1980: Complete construction of the coal preparation facility.

(8) 52 weeks from June 19, 1980: Submit to the Administrator a continuous monitoring plan detailing the equipment to be installed, equipment locations, and data reduction techniques as well as schedule of installation.

(9) 104 weeks from June 19, 1980: Complete installation and certification of sulfur dioxide monitors on stacks 1, 2 and 3 at the Conesville steam plant.

(10) 152 weeks from June 19, 1980: Complete any necessary boiler modifications to the Conesville steam plant units 1-4.

(11) 156 weeks (three years) from June 19, 1980: Achieve and demonstrate compliance at units 1-4 of the Conesville steam plant with the applicable emission limitation in § 52.1881 of this chapter.

(j) The Federal compliance schedule for the Portsmouth Gaseous Diffusion Plant in Pike County is set forth in § 52.1882(b) except that all references to June 17, 1977 are changed to (the effective date of promulgation).

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(k) The Federal compliance schedule for the Ohio Power Company Gavin Power Plant in Gallia County is set forth in § 52.1882(b) except that all references to June 17, 1977 are changed to August 25, 1982.

(l) The Federal compliance schedule for the LTV Steel Company, Inc., in Cuyahoga County is as follows:

(1) 6 months from the date of promulgation—Achieve final compliance with § 52.1881(b) for all sources except Boilers 26-34, Boilers A through D, and Coke Plant No. 2 Car Thaw.

(2) Achieve final compliance with § 52.1881(b) for Boilers 26-34, Boilers A through D, and Coke Plant No. 2 Car Thaw by March 17, 1994.

[41 FR 36339, Aug. 27, 1976, as amended at 42 FR 27592, May 31, 1977; 44 FR 47772, Aug. 15, 1979; 45 FR 30069, May 7, 1980; 45 FR 49552, July 25, 1980; 45 FR 73929, Nov. 7, 1980; 46 FR 21769, Apr. 14, 1981; 46 FR 23927, Apr. 29, 1981; 46 FR 24948, May 4, 1981; 46 FR 49125, Oct. 6, 1981; 47 FR 32123, July 26, 1982; 58 FR 46871, Sept. 3, 1993]

§ 52.1883 [Reserved]

§ 52.1884 Significant deterioration of air quality.

(a) The requirements of sections 160 through 165 of the Clean Air Act are not met, since the plan does not include approvable procedures for preventing the significant deterioration of air quality.

(b) Regulations for preventing significant deterioration of air quality. The provisions of § 52.21 (b) through (w) are hereby incorporated and made a part of the applicable state plan for the State of Ohio.

(c) All applications and other information required pursuant to § 52.21 from sources in the State of Ohio shall be submitted to the Director of the Ohio Environmental Protection Agency, P.O. Box 1049, Columbus, Ohio 43216 instead of the EPA Region V office.

[45 FR 52741, Aug. 7, 1980, and 46 FR 9584, Jan. 29, 1981]

§ 52.1885 Control strategy: Ozone.

(a) *Part D—Approval.* The following portions of the Ohio plan are approved:

(1) The ozone portions of rules 01, 02, 03, 04 (except the portion disapproved

below), 05, 06, 07, 08, 09 (except the portions conditionally approved below) and 10 of Chapter 3745-21 of the Ohio Administrative Code.

(2) The Attainment Demonstrations for the following urban areas: Akron, Canton, Cincinnati, Cleveland, Columbus, Dayton, Toledo and Youngstown.

(3) The Reasonable Further Progress Demonstration for the following areas: Akron, Canton, Cincinnati, Cleveland, Columbus, Dayton, Toledo and Youngstown.

(4) The ozone nonattainment area plan for the rural nonattainment areas.

(5) [Reserved]

(6) Approval—On June 10, 1997, Ohio submitted revisions to the maintenance plans for the Toledo area (including Lucas and Wood counties), the Cleveland/Akron/Lorain area (including Lorain, Cuyahoga, Lake, Ashtabula, Geauga, Medina, Summit and Portage counties), and the Dayton-Springfield area (including Montgomery, Clark, Greene, and Miami counties). The revisions consist of an allocation of a portion of the safety margin in each area to the transportation conformity mobile source budget for that area. The mobile source budgets for transportation conformity purposes for Toledo are now: 35.85 tons per day of volatile organic compound emissions for the year 2005 and 35.19 tons per day of oxides of nitrogen emissions for the year 2005. The mobile source budgets for transportation conformity purposes for Cleveland-Akron-Lorain are now: 82.7 tons per day of volatile organic compound emissions for the year 2006 and 104.4 tons per day of oxides of nitrogen emissions for the year 2006. For the Dayton-Springfield area, the oxides of nitrogen mobile source budget remains the same and the mobile source budget for volatile organic compounds is now 34.1 tons per day.

(7) Approval—On October 20, 1997, Ohio submitted a revision to the maintenance plan for the Jefferson County area. The revision consists of an allocation of a portion of the safety margin in the area to the transportation conformity mobile source budget for that area. The mobile source budget for transportation conformity purposes for Jefferson County are now: 5.1 tons per day of volatile organic compound emis-

sions for the year 2005 and 4.4 tons per day of oxides of nitrogen emissions for the year 2005.

(8) Approval—On April 27, 1998, Ohio submitted a revision to remove the air quality triggers from the ozone maintenance plans for the following areas in Ohio: Canton (Stark County), Cleveland (Lorain, Cuyahoga, Lake, Ashtabula, Geauga, Medina, Summit and Portage Counties), Columbus (Franklin, Delaware and Licking Counties), Steubenville (Jefferson County), Toledo (Lucas and Wood Counties), Youngstown (Mahoning and Trumbull Counties) as well as Clinton County, Columbiana County, and Preble County.

(9) Approval—On March 13, 1998, Ohio submitted a revision to the maintenance plan for the Columbus area. The revision consists of establishing a new out year for the area's emissions budget. The new out year emissions projections include reductions from point and area sources; the revision also defines new safety margins according to the difference between the areas 1990 baseline inventory and the out year projection. Additionally, the revision consists of allocating a portion of the Columbus area's safety margins to the transportation conformity mobile source emissions budget. The mobile source budgets for transportation conformity purposes for the Columbus area are now: 67.99 tons per day of volatile organic compound emissions for the year 2010 and 70.99 tons per day of oxides of nitrogen emissions for the year 2010.

(10) Approval—On April 27, 1998, Ohio submitted a revision to remove the air quality triggers from the ozone maintenance plan for the Dayton-Springfield, Ohio Area (Miami, Montgomery, Clark, and Greene Counties).

(11) Approval—On March 18, 1999, Ohio submitted a revision to the maintenance plan for the Stark County (Canton) area. The revision consists of allocating a portion of the Stark County area's safety margins to the transportation conformity mobile source emissions budgets. The mobile source budgets for transportation conformity purposes for the Stark County area are now: 17.34 tons per day of volatile organic compound emissions for the year

2005 and 13.00 tons per day of oxides of nitrogen emissions for the year 2005.

(12) Approval—On June 1, 1999, Ohio submitted a revision to the ozone maintenance plan for the Dayton/Springfield area. The revision consists of revising the point source growth estimates and allocating 5.5 tons per day of VOCs to the transportation conformity mobile source emissions budget. The mobile source VOC budget for transportation conformity purposes for the Dayton/Springfield area is now: 39.6 tons per day of volatile organic compound emissions for the year 2005. The approval also corrects a typographical error in the maintenance plan point and area source numbers for 2005.

(13) Approval—On August 19, 1999, Ohio submitted a revision to the ozone maintenance plan for the Columbiana County area. The revision consists of allocating a portion of the Columbiana County area's NO_x safety margin to the transportation conformity mobile source emissions budget. The mobile source emissions budgets for transportation conformity purposes for the Columbiana County area are now: 5.65 tons per day of volatile organic compound emissions for the year 2005 and 5.55 tons per day of oxides of nitrogen emissions for the year 2005. This approval only changes the NO_x transportation conformity emission budget for Columbiana County.

(14) Approval—EPA is approving the 1-hour ozone maintenance plan for the Ohio portion of the Cincinnati-Hamilton area submitted by Ohio on May 20, 2005. The approved maintenance plan establishes 2015 mobile source budgets for the Ohio portion of the area (Butler, Clermont, Hamilton, and Warren Counties) for the purposes of transportation conformity. These budgets are 26.2 tons per day for volatile organic compounds and 39.5 tons per day for nitrogen oxides for the year 2015.

(15) Approval—On May 31, 2001, Ohio submitted a revision to the ozone maintenance plan for the Cleveland/Akron/Lorain area. The revision consists of allocating a portion of the Cleveland/Akron/Lorain area's NO_x safety margin to the transportation conformity mobile source emissions budget. The mobile source emissions

budgets for transportation conformity purposes for the Cleveland/Akron/Lorain area are now: 92.7 tons per day of volatile organic compound emissions for the year 2006 and 104.4 tons per day of oxides of nitrogen emissions for the year 2006. This approval only changes the VOC transportation conformity emission budget for Cleveland/Akron/Lorain.

(16) Approval—On April 19, 2004, Ohio submitted a revision to the ozone maintenance plan for the Cincinnati, Ohio area. The revision consists of allocating a portion of the area's NO_x safety margin to the transportation conformity motor vehicle emissions budget. The motor vehicle emissions budget for NO_x for the Cincinnati, Ohio area is now 62.3 tons per day for the year 2010. This approval only changes the NO_x transportation conformity emission budget for Cincinnati, Ohio.

(17) Approval—On March 1, 2005, Ohio submitted a revision to the 1-hour ozone maintenance plan for Clinton County, Ohio. The revision consists of allocating a portion of the area's oxides of nitrogen (NO_x) safety margin to the transportation conformity motor vehicle emissions budget. The motor vehicle emissions budget for NO_x for the Clinton County, Ohio area is now 3.45 tons per day for the year 2006. This approval only changes the NO_x transportation conformity emission budget for Clinton County, Ohio.

(b) The maintenance plans for the following counties are approved:

- (1) Preble County.
- (2) Columbiana County.
- (3) Jefferson County.
- (4) Montgomery, Greene, Miami, and Clark Counties. This plan includes implementation of Stage II vapor recovery and an enhanced vehicle inspection and maintenance program.
- (5) Lucas and Wood Counties.
- (6) Franklin, Delaware, and Licking Counties.
- (7) Stark County.
- (8) Mahoning and Trumbull Counties.
- (9) Clinton County.
- (10) Lorain, Cuyahoga, Lake, Ash-tabula, Geauga, Medina, Summit, and Portage Counties.
- (11) Butler, Clermont, Hamilton, and Warren Counties.

(c) *Disapproval.* USEPA disapproves the compliance schedule in revised rule 04(c)(18) of Chapter 3745-21 of the Ohio Administrative Code as it applies to facilities formerly covered by the compliance schedule in old rule 04(c)(1) of Chapter 3745-21. This disapproval in and of itself does not result in the growth restrictions of section 110(a)(2)(I).

(d) *Part D—No Action.* USEPA at this time takes no action on the vehicle inspection and maintenance (I/M) program required for those non-attainment areas which have requested an extension to demonstrate ozone attainment.

(e)-(q) [Reserved]

(r) *Approval*—USEPA is approving two exemption requests submitted by the Ohio Environmental Protection Agency on September 20, 1993, and November 8, 1993, for the Toledo and Dayton ozone nonattainment areas, respectively, from the requirements contained in Section 182(f) of the Clean Air Act. This approval exempts the Lucas, Wood, Clark, Greene, Miami, and Montgomery Counties from the requirements to implement reasonably available control technology (RACT) for major sources of nitrogen oxides (NO_x), nonattainment area new source review (NSR) for new sources and modifications that are major for NO_x, and the NO_x-related requirements of the general and transportation conformity provisions. For the Dayton ozone nonattainment area, the Dayton local area has opted for an enhanced inspection and maintenance (I/M) program. Upon final approval of this exemption, the Clark, Greene, Miami, and Montgomery Counties shall not be required to demonstrate compliance with the enhanced I/M performance standard for NO_x. If a violation of the ozone NAAQS is monitored in the Toledo or Dayton area(s), the exemptions from the requirements of Section 182(f) of the Act in the applicable area(s) shall no longer apply.

(s) *Approval*—The 1990 base-year ozone emissions inventory requirement of Section 182(a)(1) of the Clean Air Act has been satisfied for the following ozone nonattainment areas: Toledo (Lucas and Wood Counties) and Dayton

(Clark, Greene, Miami, and Montgomery Counties).

(t) [Reserved]

(u) *Approval*—The 1990 base-year ozone emissions inventory requirement of Section 182(a)(1) of the Clean Air Act has been satisfied for the Columbus ozone nonattainment area (which includes the Counties of Delaware, Franklin, and Licking).

(v) *Approval*—The 1990 base-year ozone emissions inventory requirement of Section 182(a)(1) of the Clean Air Act has been satisfied for the Canton (Stark County); Cincinnati-Hamilton (Butler, Clermont, Hamilton and Warren Counties); Cleveland-Akron-Lorain (Ashtabula, Cuyahoga, Geauga, Lake, Lorain, Medina, Portage and Summit Counties); and Youngstown-Warren-Sharon (Mahoning and Trumbull Counties) areas.

(w) *Determination*—USEPA is determining that, as of May 7, 1996, the Cleveland-Akron-Lorain ozone nonattainment area (which includes the Counties of Ashtabula, Cuyahoga, Geauga, Lake, Lorain, Medina, Portage and Summit) have attained the ozone standard and that the reasonable further progress and attainment demonstration requirements of section 182(b)(1) and related requirements of section 172(c)(9) of the Clean Air Act do not apply to the area.

(x) *Approval*—EPA is approving requests submitted by the State of Ohio on March 18, November 1, and November 15, 1994, for exemption from the requirements contained in section 182(f) of the Clean Air Act. This approval exempts the following counties in Ohio from the NO_x related general and transportation conformity provisions; nonattainment area NSR for new sources and modifications that are major for NO_x: Clinton, Columbiana, Delaware, Franklin, Jefferson, Licking, Mahoning, Preble, Stark, and Trumbull. This approval also exempts the following counties in Ohio from the NO_x related general and transportation conformity provisions; nonattainment area NSR for new sources and modifications that are major for NO_x: NO_x

RACT; and a demonstration of compliance with the enhanced I/M performance standard for NO_x: Ashtabula, Cuyahoga, Geauga, Lake, Lorain, Medina, Portage, and Summit.

(y) Approval—The 1990 base-year ozone emissions inventory requirement of Section 182(a)(1) of the Clean Air Act has been satisfied for Clinton County.

(z) The 15 percent rate-of-progress requirement of section 182(b) of the Clean Air Act, as amended in 1990, is satisfied for the Ohio portion of the Cincinnati-Hamilton ozone nonattainment area.

(aa) [Reserved]

(bb) Ohio's November 7, 1996, request for a one-year attainment date extension for the Ohio portion of the Cincinnati-Hamilton metropolitan moderate ozone nonattainment area which consists of Hamilton, Butler, Clermont and Warren Counties is approved. The date for attaining the ozone standard in these counties is November 15, 1997.

(cc) Ohio's November 14, 1997, request for a one-year attainment date extension for the Ohio portion of the Cincinnati-Hamilton metropolitan moderate ozone nonattainment area which consists of Hamilton, Butler, Clermont and Warren Counties is approved. The date for attaining the ozone standard in these counties is November 15, 1998.

(dd) Determination—EPA is determining that, as of July 5, 2000, the Ohio portion of Cincinnati-Hamilton ozone nonattainment area (which includes the Counties of Butler, Clermont, Hamilton and Warren) has attained the 1-hour ozone standard and that the attainment demonstration requirements of section 182(b)(1), 182(j), and 172(c)(1), along with the section 172(c)(9) contingency measure requirements, do not apply to the area.

(ee) Approval—EPA is approving an exemption from the requirements contained in section 182(f) of the Clean Air Act. This approval exempts Butler, Clermont, Hamilton, and Warren counties in Ohio from the NO_x related general conformity provisions; the nitrogen oxides nonattainment NSR for new sources and modifications that are major for NO_x; NO_x RACT; and a demonstration of compliance with the enhanced automobile inspection and maintenance performance standard for NO_x.

(ff) Approval—The 8-hour ozone maintenance plans for the following areas have been approved:

(1) Jefferson County, as submitted on July 31, 2006 and supplemented on October 3, 2006. The maintenance plan establishes 2018 motor vehicle emission budgets for Jefferson County of 1.37 tons per day for volatile organic compounds and 1.67 tons per day for oxides of nitrogen.

(2) Belmont County, as submitted on June 20, 2006, and supplemented on August 24, 2006, and December 4, 2006. The maintenance plan establishes 2018 motor vehicle emission budgets for Belmont County of 1.52 tons per day for volatile organic compounds and 1.91 tons per day for oxides of nitrogen.

(3) Allen County and Stark County, as submitted on June 20, 2006, and supplemented on August 24, 2006, and December 4, 2006. The maintenance plan establishes 2018 motor vehicle emission budgets for Allen County of 2.89 tons per day for volatile organic compounds (VOC) and 3.47 tons per day for oxides of nitrogen (NO_x). For Stark County the budgets are 5.37 tons per day for VOC and 7.08 tons per day for NO_x.

(4) Washington County, as submitted on September 22, 2006, and supplemented on November 17, 2006. The maintenance plan establishes 2018 motor vehicle emission budgets for Washington county of 1.67 tons per day for volatile organic compounds and 1.76 tons per day for oxides of nitrogen.

(5) Mahoning, Trumbull and Columbiana Counties, as submitted on February 15, 2007. The maintenance plan establishes 2009 and 2018 motor vehicle emission budgets for Mahoning, Trumbull and Columbiana Counties. The 2009 motor vehicle emission budgets are 19.58 tons per day for volatile organic compounds (VOC) and 33.71 tons per day for oxides of nitrogen (NO_x). For 2018 the budgets are 10.36 tons per day for VOC and 13.29 tons per day for NO_x.

[45 FR 72142, Oct. 31, 1980]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.1885, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and on GPO Access.